



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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July 23, 2020

**VIA ECF**

Honorable Judge Jesse M. Furman  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Keith Drew v. City of New York, et al.  
18-CV-8529 (JMF) (SN)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the City of New York, Captain Williams, Correction Officer Jackson, Grievance Representative Halstead, Warden Dunbar, Officer Foster, Officer Jani, and Captain Mitchell ("City Defendants") in the above-referenced matter. In that capacity, the undersigned respectfully writes (1) to provide the Court with a status update, in accordance with Your Honor's July 20, 2020 Order, (2) request the July 30, 2020 pre-trial conference be adjourned to a date after a new date set for the settlement conference, and (3) request that the time to submit the Proposed Confidentiality Stipulation be extended to August 24, 2020. See DE 92.

Briefly, by way of background, at the Initial Conference on April 20, 2020, the Court granted the parties' request for a three-month stay of discovery so that the parties may engage in settlement discussions and a settlement conference. On June 25, 2020, a settlement conference was scheduled for July 22, 2020, before the Honorable Judge Sarah Netburn. See DE 85. On July 21, 2020, due to a family emergency, Officer Gaskin's attorney, E. Dubois Raynor, requested, with the City's consent, an adjournment of the July 22, 2020 settlement conference, which was granted. See DE 93-94.

On July, 22, 2020, the undersigned spoke with plaintiff via telephone, and explained the reason for the adjournment of the July 22, 2020 settlement conference. On the call, plaintiff agreed

that a conference in front of Your Honor would be more appropriate after the parties have participated in a settlement conference. Currently, there is no new date for the settlement conference, as Judge Netburn requested the parties to propose new dates. See DE 94. The undersigned has reached out to Mr. Raynor, and is awaiting a response as to when he will be available for a subsequent conference. Given that a settlement conference may result in a resolution of this matter, a status conference before Your Honor may not be necessary. Therefore, in order to conserve judicial resources, City Defendants and the plaintiff respectfully request the upcoming July 30, 2020 conference be adjourned until after a new date for the settlement conference is set.<sup>1</sup>

Additionally, plaintiff indicated on yesterday's telephone call that he had not received the proposed confidentiality stipulation the undersigned mailed to him. On July 22, 2020, the undersigned mailed an additional copy for plaintiff to review and sign.

Accordingly, the undersigned requests that, (1) the conference currently scheduled for July 30, 2020, be adjourned to a date convenient to the Court, after the rescheduled settlement conference, and (2) that the proposed confidentiality stipulation be submitted by August 22, 2020.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Giancarlo Martinez\_\_\_\_\_

Giancarlo Martinez  
Assistant Corporation Counsel  
Special Federal Litigation

**BY FIRST CLASS MAIL**

cc: Keith Drew, #19A3129  
*Plaintiff Pro Se*  
Mid-State Correctional Facility  
9005 Old River Road  
P.O. Box 2500  
Marcy, NY 13403

**BY ECF**


E. Dubois Raynor, Esq.  
*Counsel for Officer Gaskin*  
Civil Rights Consortium, Inc.  
547 North Avenue  
New Rochelle, NY 10801

Applications GRANTED. The pretrial conference is CANCELED.  
The City shall file a status promptly after the settlement conference is rescheduled, but in no event later than August 13, 2020.

The City shall serve a copy of this endorsed letter on Plaintiff.

The Clerk of Court is directed to terminate ECF No. 96.

SO ORDERED



July 24, 2020

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<sup>1</sup> The undersigned can provide the Court a status update in 14 days or when convenient for the Court.